

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Samuel Graves

Docket Number: 09-00299-001

PACTS Number: 54720

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler
United States District Judge

Date of Original Sentence: 08/16/10

Date of Violation of Supervised Release: 01/07/2011

Original Offense: Possession of a Firearm by a Convicted Felon

Original Sentence: Time Served; 3 years supervised release

Violation of Supervised Release Sentence: 12 months imprisonment; 2 years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/09/11

Assistant U.S. Attorney: David Foster, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Michael Gilberti (Appointed), Epstein, Cohen and Gilberti, LLC, 21 East Front Street, Suite 210, Red Bank, New Jersey 07701, (732) 212-0400

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>The offender has violated the standard supervision condition which states 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'</p> <p>The offender was referred to the Milestone House, a drug free halfway house located in Dover, New Jersey. Arrangements were made for Second Chance Act funds to be utilized to pay his initiation fee and first month rent. He was instructed to report to this program on December 9, 2011, after being released from the Bureau of Prisons. He failed to report to the program. On December 10, 2011, the offender was instructed to report to the program on December 12, 2011. Again, he did not follow the instructions of his probation officer and failed to report to this program.</p>

- 2 The offender has violated the standard supervision condition which states **'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'**

The offender tested positive for cocaine on the following dates: December 15, 2011; January 11, 2012; January 16, 2012; January 17, 2012; and January 27, 2012.

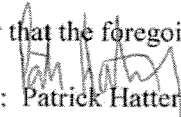

- 3 The offender has violated the standard supervision condition which states **'The defendant shall report to the probation officer in a manner and frequency directed by the Court or probation officer.'**

The offender was instructed to report to the probation office on January 18, 2012 and February 2, 2012. On each occasion he failed to report.

- 4 The offender has violated the special supervision condition which states **'You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'**

Due to the offender's positive tests for cocaine, he was referred for intensive outpatient counseling through Turning Point, a treatment program in Paterson, New Jersey. The offender attended the admission appointment on January 16, 2012, and was instructed to return on January 19, 2012. He was scheduled to attend three (3) sessions per week. The offender attended one session on January 27, 2012, and has not returned and has not contacted the program.

I declare under penalty of perjury that the foregoing is true and correct.

By: 
U.S. Probation Officer
Date: 2/7/12 


THE COURT ORDERS:

☐ The Issuance of a Warrant

☒ The Issuance of a Summons. Date of Hearing: 2/24/2012 @ 11:00AM

☐ No Action

☐ Other



Signature of Judicial Officer

2/10/2012

Date